

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

4 STEVE MILLER :
5 :
6 : Docket No.
vs. : 31-4275-FW
7 :
8 KEVIN M. FLYNN, et al :
9 :

DEPOSITION OF MICHAEL J. FLYNN, a
witness called by and on behalf of the plaintiff,
pursuant to notice under the Federal Rules of Civil
Procedure before Josephine C. Aurelio, CSR/RPR, a
Notary Public in and for the Commonwealth of
Massachusetts, at the offices of Silvergate &
Gertner, 33 Broad Street, Boston, Massachusetts, on
Thursday, April 15, 1982 commencing at 11:30 a.m.

13 APPEARANCES:

20 DONALD C. RANDOLPH, Esq., Randolph & Levana
21 11260 Wilshire Boulevard, Los Angeles, CA 90025
representing the plaintiff

22 JOEL LEVINE, Esq., Stilz, Boyd, Levine &
Handzlik, Two Century Plaza, Suite 1200
23 2049 Century Park East, Los Angeles, CA 90067
representing the defendant

1 purpose of the meeting was to coordinate the defense?

2 A. At the meeting, I couldn't testify,
3 although, I believe in the phone conversation, there
4 was something before he came up. There was
5 something to the effect I should come up to see you
6 so we can discuss this recently brought suit.

7 Whether that falls in the
8 characterization of your question, I don't know.
9 That's up to you to decide.

10 Q. Do you recall what Dr. Clark said at this
11 meeting if anything?

12 A. No. I have no memory of what he said. I
13 have a memory of my sympathy toward Jack Clark at
14 that meeting.

15 I remember him sitting quietly -- if
16 this is the same meeting, I remember Jack Clark as a
17 very quiet reserved gentleman type of man. If he
18 was at this particular meeting -- and I've been at
19 many meetings with Jack Clark -- I just have a vague
20 memory of saying, how could it possibly be that he
21 was sued.

22 Q. How many meetings do you recall being with
23 Jack Clark in which this lawsuit was discussed?

24 A. I really don't have any particular meeting

1 Q. With the exception of case files that
2 you've already testified to and your general
3 business practice in that regard, do you have
4 individual files on any of the defendants who are
5 named in the Miller case?

6 A. I don't know. I would say that I've
7 probably got a file on Jack Clark.

8 The reason I say this is as follows:
9 Jack Clark contacted me at one point about
10 possibility representing him. A lot of this may be
11 covered by attorney-client work-product. But I know
12 we uncovered some evidence about a break-in of either
13 the Lindemann Mental Health Center or some kind of
14 an infiltration of some hospital facility in which
15 the Church of Scientology stole some files
16 pertaining to Jack Clark.

17 And then I remember a separate
18 incident where they brought something like a
19 committee of evidence where they held like a, you
20 know, like a kangaroo court about him and then they
21 published it.

22 I remember the outrage when I read
23 those documents. I remember a sense of outrage
24 together with some other things they've done to him

1 possibility in my interests and his cases somehow
2 working together.

3 Q. Do you recall whether he contacted you or
4 you contacted him?

5 A. Somebody from his side contacted me. I
6 don't remember that it was he.

7 Q. Over the years since the initial meeting,
8 have you had continued contact with Michael Flynn?

9 A. Yes. Rather sparse.

10 Q. Does it have to do with lawsuits and that
11 sort of thing?

12 A. Yes.

13 MR. LEVINE: Let me interject before
14 you get into it. He may be represented by Michael
15 Flynn in any lawsuits. If that's true, we'll have
16 to be a little careful.

17 Q. Are you represented by Michael Flynn in any
18 lawsuits?

19 A. No.

20 Q. Was the Lavina VanSchaik litigation the
21 lawsuit that initially brought the two of you
22 together?

23 A. I don't remember.

24 Q. Do you know Lavina VanSchaik?

1 Q. I'm restricting -- how often would you say
2 that you are in contact with Joseph Flannigan?
3 Would that be on a weekly basis, monthly basis,
4 during the years 1980 and '81?

5 A. I would say a total of -- throughout
6 Scientology litigation, I wouldn't even know where
7 to date Joseph Flannigan from.

8 Throughout Scientology litigation, I'd
9 say -- well, let's see, let's think in terms of how
10 many times -- I'd say the times I've met with him,
11 two to five.

12 Telephone conversation, five to ten.
13 Even that, it may only be three or four times. Two
14 to five in the meetings and five to ten on the phone
15 conversations is a guess.

16 Q. And that's over the last two or three years?

17 A. It could be the last year. I have no idea
18 when I first heard from him or met Joe Flannigan.

19 Q. How about Dr. Clark? What would you say is
20 the frequency of the contact with Dr. Clark?

21 A. Speculation, guessing -- which you're not
22 supposed to do -- but just to give you some
23 reference point: meetings, five to 15.

24 Well, not meetings. He walks in my

1 office and says, I was in the area. I just wanted
2 to say hello; the following is what's been going on.

3 Have I ever seen Jack Clark outside my
4 office, I don't think so. Maybe once. Let's say
5 five to 15. Telephone calls, 10, 20, 30 -- guessing.

6 Q. You may have answered this. When did you
7 first communicate or become acquainted with Dr.
8 Clark?

9 A. I have no idea. I don't remember how. I
10 don't know.

11 Q. To the best of your recollection, has it
12 been during the year 1981 or was it some years
13 before that?

14 A. It's since Scientology began. Undoubtedly
15 before 1981. Maybe in '80, maybe in '79. Most
16 likely in '80, I don't know.

17 Q. Just for purposes of time reference, you've
18 indicated since Scientology began. I take it you're
19 referring to your involvement in Scientology
20 litigation?

21 A. Roughly June, July '79.

22 Q. June or July '79 is when that involvement
23 began, is that correct?

24 A. Yes.